

Trial

Not my intent, ~~purpose~~, aim to break
any law, or to go to prison —
but to see law abeyed — to reveal
to the people who needed to exercise
their sovereignty — to see Const, UN Charter,
etc. abeyed.

Obviously, I don't think it would
be right to go to prison for doing my duty,
serving my country & its laws (or for
violating a wrongful Admin. reg.)

[Could a soldier ^{(to sign a pledge} be asked ^{to obey}
any order by a superior?]

What I did was the right thing to do,
and others should do the same. Punishment
of me would discourage others from doing
this, and serve the outlaw purposes
of the Expc.

Trial

Consider jurors:

This power; this responsibility...

Don't send Outlaw Society
Outlaw War

Show the : consequence of acquittal is not
anarchy; or "no events"; or
lawlessness; or this own disobedience.

Fullright? Each man does what he thinks
he can. No one else can say
what a man can do — what
his values, his willingness to risk,
should be. But there is one general
guideline: You can do more than
you think you can...

To Court: What could you do if
you were willing to risk your job?

Trifling

Issue: Were the acts revealed in PP
wrong and criminal? If so, I had reason
to believe info that would lead sovereign
people to stop the world war for the good
of the country.

Note lack of prior legal test of
any of the issues raised — I could
not know that any of my actions were
against a valid law.

That I thought I was violating a law
is not a reason for being punished

Dworkin: Court should acquit me — because
terms and validity of laws involved are
vague + doubtful, at least prior to
adjudication — even if Court upholds
application and validity of law!

i.e. wrong to punish me for doing what I
thought — with reason — to be lawful + right.

Final

— I want RMN, Kaind, etc.
and MCN, LQI, etc. AND PUBLIC
to clear their complicity in war:

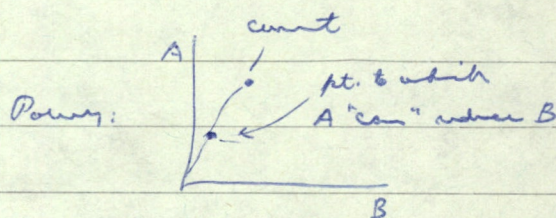
(I don't just want amnesty)

in the case of MCN, complicity of silence
and passivity — implying (to public,
which can't imagine the strength of this
"loyalty to the rules of clubs" vs. the
obligations of law & humanity) that war against
war cannot be very strong.

And this, to end the war.

LD

See Joseph Sax, Yale Law Review
 Summer, 1968
 on jing multiplication



Hyp: To challenge hierarchy — of the
 distribution of info + ignorance — is to
 change power system.

But what if power is affected by
 the change, or the process of change?

(e.g. use of SA)

efficiency concept — does not examine or
 challenge power structure (reflected in
 initial position); focusses on changes that can
 be made with no change in, or reduction of, power.

Trial

— Are people sovereign, if they are not informed?

Note: amount of data concealed in PP because it revealed public statements to be lies, or criminal actions. Secrecy is meant to prevent deception of US public. e.g. in 1964, info told Hanoi (by Sashorn), but US public misled.

— Is US G accountable before laws?
or, only to (uninformed) voters
and (") Congress?

— What are the responsibilities of a citizen, who (e.g., jury...)

— What are obligations of a citizen — like me —
actually involved in crimes, & knowing evidence...
[Why don't I feel guilty? Because my society did not prepare me to feel guilty for these acts...]

(Klonsky, in "Trials...")

— What is citizen's duty when Gov orders him to commit unlawful act —
e.g. conceal evidence of lies + crimes?

— Does jing want to confirm Gov's right so to order?

— Was resistance to Japanese aggression justified?

Or, to Nazi crimes less than the final solution?

(unlawful)

— Obedience to immoral demands encourages others' obedience, weakens resistance

— and it is these demands, + consequences, and process — that "weakens fabric of society." and strengthens lawless Expec.

Which hurts our society more — the War (+ Expec power + secrecy) + obedience to its demands — or Resistance? (to "laws" that are tearing us apart):

Questions that are asked of Resisters
should also be put to one who Obeys,
or Obedient —

- effect on society
on other people
on respect for law...

- "real" motives: fear? aptly to evil?

(Wyzanski assumption: that all laws,
legal system, favor obedience and
permit of the war:)

see p. 97, Time of the Resistance

Secrecy system operates mainly to keep info
restricted within bureaucracy —

from rivals, from the suspicion of Pres —

A major role of "consultants" (or RAVO) is to
circumvent these obstacles, or the
inefficiencies, irrationalities they create:

My career was to ^{cut} inform the Sec Def,
the JCS, the Pres...

(They "had the con" — I accepted
that — How help the steer?

Most info I used came from within
bureaucracy, and was acquired w/o or used
in violation of secrecy regs of DoD!

(This was always known to
superiors; always done at jeopardy.)

(In VN, I violated regs by driving on roads!)

debeber
Willions?
Wills?

OE

Wittman

Maeckling	Kearns	Kore
Ogden	Vince Davis	Goodell
Mayer	Austin	Morse
Dutton		Thurman
O'Donnell		
<u>Whiting</u>		

Dean	Cannon	in Schlesinger?
Schwartz	Waltz	
Pierre		

Dante	<u>Emtrow</u>	Wank	<u>hsc!</u>
Shelton	Hilpatric	Clifford	Koner?
	Katzman		
	W Bandy		

Lesson:

1. Dictate on witness list.
2. Dictate on appointment books
3. Congress: line up others.
4. Representation
- 5

Defenses

1. Discriminatory (selective) prosecution. ?

(goes to integrity of the prosecution; typically goes to judge; yet has most appeal to jury).

[Hyp: show jury that Gov does not have exercise control of wife via prosecutions.]

2. Intent. W/ relevant (new openings):

conspiracy — helps us, by dealing with my state of mind. How I got to where I got.

Robert; Pat; DE

(Fullilove; Leland; McG; McClosky; J. Taylor;

strongest case ever.

3. Nuremberg: On aggressive war (not
crimes vs. humanity); get documentation;
reexamine what I did, (1964-65, PP);
deception of Congress, + public — attempts to
undermine
DO not remote from crimes;
directly involved.

Still less than 10% chance of getting this
in front of a jury.

(Except in my interview testimony: my
understanding).

Falk

[Witnesses; + testimony as

"Independent judiciary" — get judges with
political abolition will not want to be the first.

Case

(Wednesday)

These dates reveal a ^(criminal) conspiracy ~~for~~

against the American people. By dates...
main, missile
to kill this son, to steal this money, to involve
this is a process of mass murder.

- I personally discussed this... dates...

(HAK, State, lies...)

- There exist in the Gov

(NSSM-1 (VNZ could not

NIE - Doc ^{work...}

NIE - Dominos

- Cannot lie

- 4th Branch of Gov: has ~~Verbal~~ heard that
it serves the American people, not the 3rd Branch;

- Congress: Fulbright... has heard how to Resist...
Best votes - Stennis...
N-V - CD
truth-telling

What's not in the documents - VNZ

Kaw

See DE news on

325th Div

Mining of Haiphong

Geneva Accords

Torture (Parker)

POWs (Fall)

Gas

CB lies: spring (Kahn)
28 July (testify?!)

McN/DE Oct 66 (on draft)

Infiltration Study

White Paper

"atrocities" : Fishnet

anti-Rostov news (immorality...)

34 A ops

Tank Half cables

Briefing by Zaslav

Dem Rep

Reason: 1. info to NSSM-1 (Hutloff)

1

2. Check with Alain.

3. Amendments with Hutloff:

SV Missiles

return...

4. Crisis Studies.

Pres leg - leg in state.